

THE FIERST LAW GROUP, P.C.
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TROPICA FRESH

Plaintiff,

-against-

MR. G INTERNATIONAL PRODUCE INC,
d/b/a THE BEST BANANA, JOSE GOMEZ,
MARCO ANTONIO GOMEZ and
ANTONIO GOMEZ individually and in any
corporate or partnership capacity

Defendants.

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Index No. 1:20-CV-00748-JGK

DEFAULT JUDGMENT

[Fed.R.Civ.P.55 (b) (2)]

Upon consideration of Plaintiff's motion for entry of a default judgment against the Defendants Mr. G International Produce Inc. d/b/a The Best Banana, Jose Gomez, Marco Antonio Gomez and Antonio Gomez, the Declaration of Timothy J. Fierst, Esq., dated March 26, 2020, the Declaration of Hossein Moshfegh dated March 13, 2020, and the exhibits annexed thereto, the Memorandum In Support of Plaintiff's Motion for Default Judgment Against Mr. G International Produce Inc. d/b/a The Best Banana, Jose Gomez, Marco Antonio Gomez and Antonio Gomez and there being no opposition thereto, and it appearing to the Court that the Defendants Mr. G International Produce Inc. d/b/a The Best Banana, Jose Gomez, Marco Antonio Gomez and Antonio Gomez have failed to plead or otherwise defend in this action; and that a principal balance in the amount of \$20,520.00 is due plaintiff Tropica Fresh pursuant to the

parties' contract, and that Plaintiff has the right to recover against Mr. G International Produce Inc. d/b/a The Best Banana, Jose Gomez, Marco Antonio Gomez and Antonio Gomez, jointly severally, pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(a-c) ("PACA"), it is hereby

ORDERED, that Plaintiff's motion for entry of a default judgment be, and the same is hereby granted and it is further

ORDERED, ADJUDGED AND DECREED, that judgment is hereby entered in favor of Plaintiff, TROPICA FRESH , 11347 Santa Monica Blvd., Los Angeles, CA 90025, and against Mr. G International Produce Inc. d/b/a The Best Banana, 580 Whittier Street, Bronx, NY 10474, Jose Gomez, 580 Whittier Street, Bronx, NY 10474, Marco Antonio Gomez, 580 Whittier Street, Bronx, NY 10474, and Antonio Gomez 580 Whittier Street, Bronx, NY 10474, jointly and severally, pursuant to PACA in the principal amount of \$20,520.00 together with interest at the legal rate of 9% from January 29, 2020 through the date of judgment in the amount of \$738.72, and Plaintiff have execution therefor, and it is further

ORDERED, ADJUDGED AND DECREED that the stay imposed by Fed. R. Civ. P. 62 (a) is hereby vacated, Plaintiff may immediately execute upon this judgment and the Clerk shall immediately issue an abstract of judgment upon Plaintiff's proper application therefor.

ENTERED, this 23 day of June, 2020

/s/ John G. Koeltl

JOHN G. KOELTL
United States District Judge